

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AMERICAN CIVIL LIBERTIES UNION )	No. 12-cv-4008-MEJ
OF NORTHERN CALIFORNIA; )	
SAN FRANCISCO BAY GUARDIAN, )	
)	
Plaintiffs, )	
)	
v. )	STIPULATION RE:
)	BRIEFING SCHEDULE
DEPARTMENT OF JUSTICE )	
)	
Defendant. )	

The parties agree, subject to the Court's approval, to modify the current briefing schedule for Part 1 of plaintiffs' Freedom of Information Act ("FOIA") request. In support thereof, the parties state as follows:

1. As set forth in the parties' prior Case Management Statements, plaintiffs submitted a four-part FOIA request seeking records of the U.S. Attorney's Office for the Northern District of California pertaining to efforts to seek or obtain location information which helps ascertain the location of an individual or a particular device. Specifically, part 1 of plaintiffs' FOIA request seeks "[a]ll requests, subpoenas, and applications for court orders or warrants seeking location information since January 1, 2008." Parts 2, 3, and 4 of plaintiffs' FOIA request seeks various other categories of documents relating to efforts to obtain location information.

2. Pursuant to the parties' October 23, 2013 Joint Case Management Statement, defendant's reply in support of its motion for summary judgment as to part 1 and opposition to plaintiffs' cross-motion for summary judgment as to part 1 is due on December 5, 2013. Plaintiffs' reply in support of their cross-motion for summary judgment as to part 1 is due on December 19. *See* ECF No. 47, 10/23/2013. This Court entered an Order setting those dates, as well as a hearing date of January 9, 2014. *See* Order, ECF No. 51, 11/04/2013.

3. This Court subsequently modified its order and reset the hearing date to January 30, 2014. *See* Order, ECF No. 52, 11/06/2013.

4. Due to a conflict in government counsel's schedule that will preclude him from preparing a brief by December 5, defendant requests, and the plaintiffs have agreed, to modify the briefing schedule regarding part 1 of the FOIA request, as follows:

a. Defendant's reply in support of its motion for summary judgment as to part 1 and opposition to plaintiffs' cross-motion for summary judgment as to part 1, not to exceed 25 pages, shall be filed no later than December 12, 2013.

b. Plaintiffs' reply in support of their cross-motion for summary judgment as to part 1, not to exceed 25 pages, shall be filed no later than December 20, 2013.

5. The parties do not propose to alter the January 30, 2014 hearing date previously set by the Court.

IT IS SO STIPULATED THIS 27TH DAY OF NOVEMBER, 2013:

/s/ Linda Lye  
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*Attorneys for Defendant*

**IT IS SO ORDERED THAT THE FOLLOWING BRIEFING SCHEDULE IS ADOPTED:**

For the parties' motions for summary judgment regarding Part 1 of plaintiffs' FOIA request, the briefing schedule shall be modified as follows:

- a. Defendant's reply in support of its motion for summary judgment as to part 1 and opposition to plaintiffs' cross-motion for summary judgment as to part 1, not to exceed 25 pages, shall be filed no later than December 12, 2013.
- b. Plaintiffs' reply in support of their cross-motion for summary judgment as to part 1, not to exceed 25 pages, shall be filed no later than December 20, 2013.
- c. The hearing date of January 30, 2014 remains unchanged.

  
\_\_\_\_\_  
Judge Maria Elena James  
United States Magistrate Judge

11/27/2013  
\_\_\_\_\_  
Date

**DECLARATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

Pursuant to Local Rule 5-1(i)(3), the undersigned filer declares that concurrence in the filing of this document has been obtained from the other signatory to this document.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of November, 2013.

/s/ Brad P. Rosenberg  
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